

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
JANUARY 18, 2005**

The regular session of the Auburn City Planning Commission was called to order on January 18, 2005 at 7:05 p.m. by Chairman Smith in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: McCord, Merz, Powers, White, Chrm. Smith

COMMISSIONERS ABSENT: None

STAFF PRESENT: Will Wong, Community Development Director; Janet Ferro, Administrative Assistant

ITEM I: CALL TO ORDER

ITEM II: APPROVAL OF MINUTES

The Commission postponed approval of the September 21, October 5, October 19 and November 16, 2004 meeting minutes until new Commissioners could listen to the tapes for a quorum. The minutes of December 7, 2004, a meeting heard by the current Commission, were approved as submitted.

ITEM III: PUBLIC COMMENT

None.

ITEM IV: PUBLIC HEARING ITEMS

- A. **Use Permit – 124 Toyon Drive (Driscoll Garage) – File UP 04-6.** The applicant requests approval of a Use Permit to allow the replacement of a non-conforming one-car garage with a new two-car garage.

Will Wong gave the staff report. He advised the Commission that the existing structure is considered non-conforming with the City Zoning Ordinance since it was constructed within the required front yard setback and enlarging a non-conforming use or building such as this garage requires approval of a Use Permit.

The public hearing was opened.

Mike Driscoll, applicant, was available to answer questions; there were none.

The public hearing was closed.

The Commissioners discussed the proposal and all felt it was acceptable.

Comm. White **MOVED** to:

- A. Find the project Categorically Exempt from the California Environmental Quality Act per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures); and to
- B. Approve the Use Permit for the Driscoll Garage Replacement – 124 Toyon Drive subject to the findings and conditions presented below.

Comm. Merz **SECONDED**.

AYES: McCord, Merz, Powers, White, Chrm. Smith
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

The Chairman announced the 10-day appeal period.

- B. **Variance – 140 Clark Street (Doak Garage Conversion) – File VA 04-7.** The applicant requests approval of a Variance to allow one required parking space to be located within the front yard setback area of the existing residence at 140 Clark Street.

Will Wong gave the staff report, giving some history of this project. He explained that some time ago the property's single car garage was converted into living area without City permits, resulting in the required parking for the property extending into the front yard setback, which violates the City's development standards. To address this, the previous owner applied for a Variance to allow the required parking within the front setback; the Variance was denied by the Planning Commission at that time. He noted that staff could not support the previous Variance request and could not support this request, and he outlined the reasons.

Comm. McCord stated that she is in favor of the project.

Comm. Powers agreed, with all proper permits she also is in favor of the request.

The public hearing was opened.

David and Katie Doak advised that while the realtor who sold them the property did mention that the garage conversion had been done without permits and would have to be brought up to Code, he did not advise them that the previous Variance request had been denied. They have now applied for proper permits for the garage conversion.

The following neighbors spoke in favor of the proposal:

Stuart Dodge
Sam Renfree
Lynette Weeks
Karen Reitz
Bob Snyder

The public hearing was closed.

The Commissioners noted the neighbors who attended this meeting to speak in favor of the project. They discussed the proposal and agreed that it would enhance the neighborhood.

Comm. McCord **MOVED** to:

- B. Find the project Categorically Exempt from the California Environmental Quality Act per CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations); and

- C. Approve the Variance to allow parking within the required front setback area – 140 Clark Street based on the following findings and the conditions of approval listed below.

Comm. Metz **SECONDED.**

AYES: McCord, Merz, Powers, White, Chrm. Smith
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

The Chairman announced the 10-day appeal period.

ITEM V: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

Director Wong reviewed recent City Council meetings.

B. Future Planning Commission meetings.

Director Wong discussed future meetings.

C. Reports

None.

ITEM VI: PLANNING COMMISSION REPORTS

None.

ITEM VII: FUTURE PLANNING COMMISSION AGENDA ITEMS

Chrm. Smith requested a future discussion on the criteria to determine necessity for EIR. He also asked that outdated Ordinances be addressed in the future. Director Wong stated he is aware of this and when the staff shortage in the Planning Department has been resolved these items will be addressed.

Chrm. Smith requested Commission updates on the status of Planning Commission approvals.

ITEM VIII: ADJOURNMENT

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Secretary